

FTC-I-4

System name:

Clearance to Participate Applications and the Commission's Responses Thereto, and Related Documents -- FTC.

Security classification:

Not applicable.

System location:

Federal Trade Commission, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580.

Categories of individuals covered by the system:

Former members or employees of the Commission who request authorization to appear or participate in a proceeding or investigation, formal or informal, which was pending in any manner in the Commission during that individual's tenure at the Commission.

Categories of records in the system:

Name, address, and current employment status of the requesting individual, as well as the nature of any connection with the proceeding or investigation for which clearance is sought during service with the Commission; letters responding to those requests indicating the determination of the Commission and outlining reasons for any denial or restriction; internal Commission memoranda evaluating the request and discussing the status of any relevant pending matters.

Authority for maintenance of the system:

Federal Trade Commission Act.

Purpose(s):

To evaluate applications; to make determinations in response to those applications; to maintain records of consideration given to applications requesting authorization to appear in Commission proceedings; and to ensure no conflict of interest between former members or employees of the Commission and active proceedings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In addition to the disclosures generally permitted under 5 *U.S.C. 552a*(b), and the disclosure provisions described in Appendix I of this notice, records or information in these records may be specifically disclosed pursuant to 5 *U.S.C. 552a*(b)(3) as follows, provided that no routine use

specified either herein or in Appendix I shall be construed to limit or waive any other routine use:

(1) Individual records that are of historical value may also be incorporated into System VII-6, Information Retrieval and Indexing System; and

(2) Application and response letters may be made part of the public record of the Commission and made available to the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

May be maintained on standard legal-size and letter-size paper; magnetic tapes and disks; microfilm and microfiche; or optical storage media.

Retrievability:

Indexed by name of the applicant and by the name of the investigation or proceeding.

Safeguards:

Maintained in lockable offices. Applications and responses available to the public and all agency staff. Other records restricted to employees whose official duties require access.

Retention and disposal:

Applications and responses maintained from January 1969; no present disposal schedule.

System manager and address:

Supervisor, Records Branch, Information Management & Dissemination Division, Federal Trade Commission, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580.

Assistant General Counsel for Legal Counsel, Federal Trade Commission, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580.

Notification procedure; record access procedure; and contesting record procedure:

See Appendix II.

Record source categories:

Individual on whom the record is maintained and Commission staff who prepare the memoranda and response to request.

System exempted from certain provisions of the act:

Records contained in this system that have been placed on the FTC Public Record are available upon request. However, pursuant to 5 *U.S.C.* 552a(k)(2), records in this system, which reflect records that are contained in other systems of records that are designated as exempt, are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) of 5 *U.S.C.* 552a. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).